2600



Express Mail No.: <u>EL 477 035 165 US</u>

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Application of: Danielson et al.

Int. Application No.: PCT/SE99/02169

U.S. Application No.: 09/831,682

Attorney Docket No .:

10806-009

Filed:

June 28, 2001

For: METHODS AND SYSTEMS FOR

**DETERMINING NETWORK** 

**TOPOLOGY** 

Request to Correct Notice of Acceptance

RECEIVED

APR 0 2 2002

**Technology Center 2600** 

Assistant Commissioner for Patents United States Patent and Trademark Office BOX PCT Washington, D.C. 20231 Attn: PCT Legal Office

Sir:

The Notice of Acceptance mailed July 16, 2001 in connection with the above-identified application bears incorrect dates in paragraph 3 and in one item in paragraph 4. In particular, the request for immediate examination noted in paragraph 3 was made on May 11, 2001, not June 28, 2001 as indicated on the Notice. Likewise, an Information Disclosure Statement noted in paragraph 4 was filed on May 11, 2001, not May 10, 2001 as indicated on the Notice. In addition, paragraph 4 indicates that a preliminary amendment was filed on May 11, 2001. To applicants' representatives' knowledge, no such preliminary amendment was filed in this application.

A copy of the Notice with these changes indicated is enclosed as Exhibit A. Attached as Exhibit B are file copies of the postcard, the Transmittal Letter, and the Information Disclosure Statement, all bearing the date May 11, 2001. The postcard was sent with Express Mail No. EL 501 638 773 US on May 11, 2001 (note: the Patent Office erroneously stamped the postcard May 10, 2001).

The Applicants respectfully request a corrected Notice. Since applicant is not responsible for these errors, no fee should be required. However, if a fee is required, please charge such fee to Pennie & Edmonds LLP's Deposit Account No. 16-1150.

	, ,	
Date	3/12/02	

Respectfully submitted,

Menhens 37.242

Garland T. Stephens

(Reg. No.)

PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, New York 10036-2711 (212) 790-9090

Enclosure

# **EXHIBIT A**

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT		ATTY, DOCKET NO.
09/831682	DANIELSON	L	10806-009
30,00,002	:		ONAL APPLICATION NO.
PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS	REFERRED TO HSL	PCT/	/SE99/02169
NEW YORK, NY 10036 2711		I.A. FILING DATE	PRIORITY DATE
	JUL 1 8 2001	23 NOV 99	24 NOV 98
	Pennie & Edmonds O.K. for filing	DATE MAILE	. 16 JUL 2001
NOTIFICATION OF ACCE	EPTANCE OF APPLICA ND 37 CFR 1.494 OR 1		5 U.S.C. 371
1. The applicant is hereby advised that the	United States Patent and Trac	demark Office in its c	apacity as a
Designated Office (37 CFR 1.494), x an	Elected Office (37 CFR 1.49)	5), has determined tha	at the above-identified
international application has met the require examination in the United States Patent and	ements of 35 U.S.C. 371, and		
2. The United States Application Number	assigned to the application is	shown above and the	relevant dates are:
28 June 2001		28 June 2001	
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4)		TE OF RECEIPT OF .S.C. 371 REQUIRE	
The International Preliminary Exam Copy of the Annexes to the International Translation of Annexes The Annexes have not been Preliminary amendment(s) filed Information Disclosure Statement(s) Assignment document. Power of Attorney and/or Change of Substitute specification filed Indication of Small Entity Status. Priority Document. Copy of the International Search Resources	EN RECEIVED IN THE OF cation is the international filing he Filing Receipt has been recommended and under 35 U.S.C. 371(f) was a likely of the commendation of the commendation of the commendation of the IPER into English and t	rice. THIS DATE of date of the internal eleved, send all corres s received on 28 d  mendments into Englis ed. d its Annexes, if any on Report (IPER).	E IS SHOWN ABOVE. cional application spondence to the Group AAY and the 2001 and the
Applicant is reminded that any communicate the address given in the heading and include	the U.S. application no. show	wn above (37 CFR 1.	5)9/.
	D	eborah D. Willian	ns /////

Telephone: 703-305-3744

# **EXHIBIT B**

Express Mail No. FL501638712US  Date Mailed May 11, 2001  Ser. No. TBA  Inventor Magnus Danjelson, Mattias Holm!  For Mothers and Systems for Det	Filed Way 11,2001
( ) Affidavit/Declaration ( ) Amendment ( ) ApplicationPages ( ) Claims Drawings ( ) Appeal, Notice of ( ) Assignment ( ) Brief (in triplicate) ( ) Declaration & Power of Attorney (unexecuted) ( ) Design Application ( ) Disclaimer ( ) Disclosure Statement ( ) w/refs. ( ) w/o refs. ( ) Drawings FormalSheetsFigures  Other:	( ) Fee Address Indication Form ( ) Fee Calculation ( ) Issue Fee Transmittal ( ) Letter ( ) Oral Hearing Req./Confirm. ( ) Petition to Extend Time ( ) Pet. under 37 C.F.R. ( ) Power of Attorney Associatew/Revocation ( ) Sequence Listing w/Computer Readable and Paper Copies ( ) Small Entity Statement ( ) Status Letter ( ) Transmittal Letter ( w/ fee calculation) ( entry National Prime)
	er: TAC/GTS/HCL/RJIH

	That Class Wall ( )
( ) Affidavit/Declaration ( ) Amendment ( ) Amendment ( ) ApplicationPages ( ) Claims Drawings ( ) Appeal, Notice of ( ) Assignment ( ) Brief (in triplicate) ( ) Declaration & Power of Attorney (unexecuted) ( ) Design Application ( ) Disclaimer ( ) Disclosure Statement ( ) W/refs. ( ) w/o refs. ( ) Drawings FormalSheetsFigures  JC17_Recide PGT/PTO 1 0 MAY Other:	( ) Fee Address Indication Form ( ) Fee Calculation ( ) Issue Fee Transmittal ( ) Letter ( ) Oral Hearing Req./Confirm. ( ) Petition to Extend Time ( ) Pet. under 37 C.F.R. ( ) Power of Attorney Associatew/Revocation ( ) Sequence Listing w/Computer Readable and Paper Copies ( ) Small Entity Statement ( ) Status Letter  Transmittal Letter (w/ fee calculation) ( entry Matienal Firese)

FORM PTO-1390 (REV. 11-94)

## U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

DRNEY'S DOCKET NUMBER

10806-009

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

INTERNATIONAL APPLICATION NO. PCT/SE99/02169

INTERNATIONAL FILING DATE November 23, 1999 PRIORITY DATE CLAIMED November 24, 1998

TITLE OF INVENTION

METHODS AND SYSTEMS FOR DETERMINING NETWORK TOPOLOGY

APPLICANT(S) FOR DO/EO/US

Magnus Danielson, Mattias Holmlund, and Stèphane Tessier

Applicant herewith submits to the United States Designated/ Elected Office (DO/EO/US) the following items under 35 U.S.C. 371:

- 1. 

  This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- 2. 

  This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
- 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
- 4. 

  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- - a.  $\Box$  is transmitted herewith (required only if not transmitted by the international Bureau).
  - b. 

    has been transmitted by the International Bureau.
  - c. o is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6. 

  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- 7. 

  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  $\square$  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  $\square$  have been transmitted by the International Bureaus.
  - c. D have not been made; however, the time limit for making such amendments has NOT expired.
  - d. 

    have not been made and will not be made.
- 8. 

  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 37(c)(3)).
- 9. 

   An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
- 10. 

  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

### Items 11. to 16. below concern document(s) or information included:

- 11. 

  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- 12. 

  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 13. 

  A FIRST preliminary amendment.
  - □ A SECOND or SUBSEQUENT preliminary amendment.
- 14. 

  A substitute specification.
- 15. 

  A change of power of attorney and/or address letter.

17. The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees as follows:

		· CLAIMS			
(1)FOR	(2)NUMBER FILED	(3)NUMBER EXTRA	(4)RATE	(5)CALC	ULATIONS
TOTAL CLAIMS	41 - 20	21	X \$ 18.00	\$	378.00
INDEPENDENT CLAIMS	6 -3	3	X \$ 80.00		240.00
MULTIPLE DEPE	NDENT CLAIM(S)	(if applicable)	+ \$ 270.00	\$	270.00
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):  CHECK ONE BOX ONLY  International preliminary examination fee paid to USPTO (37 CFR 1.482)  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))  \$ 710				<u>.</u>	
<ul> <li>☑ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1000</li> <li>☐ International preliminary examination fee paid to USPTO (37 CFR 1.482)</li> </ul>			\$	1,000.00	
and all claims satisfied provisions of PCT Article 33(2) to (4) \$ 100					
□ Filing with EPO or JPO search report					
TOTAL OF ABOVE CALCULATIONS			=	1,888.00	
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).			-	944.00	
			SUBTOTAL		944.00
Processing fee of \$130.00 for furnishing the English Translation later than 20 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)).			+		
0		TOTAL	FEES ENCLOSED	\$	<u>944.00</u>

- a. 

  A check in the amount of \$\_ to cover the above fees is enclosed.
- b. 

  Please charge Deposit Account No. 16-1150 in the amount of \$944.00 to cover the above fees. A copy of this sheet is enclosed.
- c. 

  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 18. □ Other instructions

n/a

20. 

✓ All telephone inquiries should be made to (212) 790-2803

Garland T. Stephens

Per Conbut T Stephens

NAME

SIGNATURE

SIGNATURE

REGISTRATION NUMBER

DATE

Express Mail No.: EL 501 638 773 US

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Danielson et al.

Serial No.: TBA

Group Art Unit: TBA

Filed: Herewith

Examiner: TBA

For: METHODS AND SYSTEMS FOR

Attorney Docket No.: 10806-009

DETERMINING NETWORK TOPOLOGY

### INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

- 1. Enclosures accompanying this Information Disclosure Statement are:
  - 1a. 

    ✓ Form PTO-1449.
  - 1b. ☐ Copies of publications.
  - 1c. 

    An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
  - 1d. 

    Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
- 2. 

  This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.
- 3. 

  This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

(Check either Item 3a or 3b)

3a. 

The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.

NY2 - 1198893.1

□ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
□ enclosed
□ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

(Item 3b to be checked if any reference known for more than 3 months)

4. 

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after Final Office Action or Notice of Allowance, but before payment of Issue Fee.

A Petition to the Commissioner is hereby made under 37 C.F.R. §1.97(d) to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 C.F.R. §1.17(i)(1) is:

□ enclosed.

3b.

□ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

5.  $\square$  Certification Statement (applicable if Item 3a or Item 4 is checked)

(Check either Item 5a or 5b)

- 5a. 

  In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. 

  In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 6. A continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d) is concurrently filed herewith.

(Check appropriate Items 6a, 6b and/or 6c)

- 6a. 

  A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. Copies of the publications listed on Form PTO-1449 from prior application Serial No. \_\_, filed on \_\_, of which this application claims priority under 35 U.S.C. §120, have been omitted pursuant to 37 C.F.R. §1.98(d).
- 6c.  $\square$  Copies of the publications listed on Form PTO-1449 which were not previously cited in prior application Serial No., filed on, of which this application claims priority under 35 U.S.C. §120, are provided herewith.
- 7. 

  This is a Supplemental Information Disclosure Statement. (Check either Item 7a or 7b)

NY2 - 1198893.1

- 7a. This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on \_\_\_. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on \_\_.
- 7b. This Supplemental Information Disclosure Statement is timely filed within one (1) month of a PTO Notice under 37 C.F.R. §1.97(i).
- 8. 

  In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check Item 8a, 8b, or 8c)

- 8a. 
  satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. □ set forth in the application.
- 8c. □ enclosed as an attachment hereto.
- The Commissioner is authorized to charge any additional fee required or credit any
   overpayment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds
   LLP Deposit Account No. 16-1150.
- 10. 

  No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

(C Z ) / No 36, 196

Date 5/11/01

37.242

Garland T. Stephens

PENNIE & EDMONDS LLP 1155 Avenue of Americas

New York NY 10036-2720

(212) 790 - 9090

**OR TRACKING CALL 1-800-222-1811** 

Best Available Copy

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